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SECTION I. MARKET OVERVIEW

U.S. agricultural exports to Canada reached a record-high of US\$8.6 billion in FY2002, registering an average annual growth rate above 5.0 percent in the last seven years. Consumer-oriented agricultural products accounted for 70 percent of total U.S. food and agricultural product sales to Canada in FY2002, with fresh and processed fruits and vegetables, snack foods, and red meat products as the category leaders. Canada is the largest market for US agricultural exports, and American products account for more than two-thirds of total Canadian agricultural imports.

In FY2002, U.S. farm, fish and forestry exports to Canada reached \$10.8 billion, almost \$600 million more than to Japan. Canada accounted for 16 percent (\$8.6 billion) of total US food and agricultural product exports of \$53.3 billion during FY2002. Of total U.S. exports of consumer-oriented agricultural products of more than \$21.6 billion, \$6.0 billion, almost 28% was destined for Canada. Almost one in every five dollars of U.S. exports of fish and seafood went to Canada in FY2002. Total bilateral agricultural trade between the U.S. and Canada exceeded \$18.7 billion in FY2002, more than \$50 million per day. Two-way truck traffic alone exceeds 7,000 trucks/day, an average of almost one truck every other minute, 24 hours a day.

Under the tariff elimination provisions of the North American Free Trade Agreement (NAFTA), the majority of U.S. agricultural products have entered Canada duty-free since January 1, 1998. On December 4, 1998 the United States and Canada signed a Record of Understanding, an agreement to further open Canadian markets to U.S. farm and ranch products. Some tangible benefits of the agreement are already accruing to the U.S. agricultural industry.

Canadian Market Overview Summary	
Advantages	Challenges
Proximity	Low value of Canadian currency
Similar lifestyles and consumption trends	Differences in standard package sizes
Wide exposure to American culture	Differences in chemical residue tolerances
Frequent business and personal trips to U.S.	Differences in nutritional labeling
Duty free tariff treatment for most products under NAFTA	Bilingual (English & French) labeling
duty free tariff treatment for most products under NAFTA	Tariff rate quotas for certain products
Awareness and demand for product brands	
High U.S. quality and safety perceptions	
Similar food shopping patterns	

Ease of entry for business travel	
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Trade with Canada is facilitated by proximity, common culture, language, similar lifestyle pursuits, and the ease of travel among citizens for business or pleasure. Many American products have gained an increased competitive edge over goods from other countries as the result of the FTA/NAFTA. Canada's grocery product and food service trades have been quick to seize opportunities under FTA/NAFTA, which permit them to expand their geographical sourcing area to include the United States. Declining import duties under the trade agreements and an easing of Canadian packaging requirements for processed horticultural products for the food service market have resulted in significant gains in the Canadian market for U.S. consumer-ready foods and food service foods.

SECTION II. EXPORTER BUSINESS TIPS; SERVICES; FOOD REGULATION

A) Export Services for U.S. Food and Agricultural Exporters

The AgExport Connections office of the Foreign Agricultural Service, United States Department of Agriculture provides programs, information, and services to U.S. exporters to aid in exporting U.S. food, farm and forest products to foreign markets. These programs include:

Buyer Alert: lets you target your advertising to foreign buyers, both on-line and in overseas newsletters.

Trade Leads offer up-to-date information on requests for bids, from potential buyers from around the world, and is available on-line and via e-mail. Information on upcoming changes to the Trade Leads program.

Foreign Buyers List is a product- and country-specific listing of agricultural importers worldwide.

U.S. Suppliers puts your company's name and product listings in a database that foreign buyers access on-line or through USDA/FAS Overseas offices.

For more information on these services, contact:

AgExport Connections
Ag Box 1052
AGX/FAS/USDA
Washington, DC 20250-1052
Phone: (202) 690-3416
Fax: (202) 690-4374
Webpage: <http://www.fas.usda.gov/agexport/exporter.html>

State Departments of Agriculture

The state departments of agriculture and associated organizations also promote U.S. food and agricultural exports and are an additional valuable source of information. The National Association of State Departments of Agriculture (NASDA) represents all 50 State departments of agriculture and those from the trust territories of Puerto Rico, Guam, American Samoa, and the Virgin Islands. In addition, there are four regional organizations associated with their respective departments of agriculture. Prospective exporters are encouraged to check with their respective state and/or regional organizations for assistance. Website: www.nasda.org

Department of Commerce District Offices

Before exporting, U.S. firms are also encouraged to contact the nearest U.S. Foreign and Commercial Service (USFCS) district office of the Commerce Department's International Trade Administration. The district offices can provide up-to-date information on required export documentation and where to obtain required forms. Most Canadian forms are available from selected U.S. commercial printers. Each district office has a trade specialist who can provide assistance with export documentation. For a full listing of USFCS district offices, go to: <http://www.commerce.gov/statemap2.html>

The U.S. Commercial Service offers valuable assistance to help your business export goods and services to markets worldwide. From this site you can access a global listing of trade events, international market research, and practical tools to help with every step of the export process. Webpage: www.usatrade.gov

Country Commercial Guides

The Country Commercial Guides (CCG) are prepared by U.S. Embassy Staff annually and contain information on the business and economic situation of foreign countries and the political climate as it affects U.S. business. Each CCG contains the same chapters, and an appendix, which include topics such as marketing, trade regulations, investment climate, and business travel. CCG homepage: <http://www.usatrade.gov/website/CCG.nsf>

B) Business Customs Import Procedures

Customs Brokers

Some U.S. firms choose to obtain the services of a Canadian customs broker (a private company operating as a trade facilitator) to help them comply with Canadian import requirements and in some cases, market their product. Canada Customs and Revenue Agency (CCRA) licenses customs brokers to carry out customs-related responsibilities on behalf of their clients. A broker's services include:

- obtaining release of the imported goods;
- paying any duties that apply;
- obtaining, preparing, and presenting or transmitting the necessary documents or data;
- maintaining records;
- responding to any Canada Customs and Revenue Agency concerns after payment.

Clients have to pay a fee for these services, which the brokerage firm establishes.

List of Canadian Customs Brokers:

<http://www.ccr-aadrc.gc.ca/customs/-business/importing/brokers/list-e.html>

Importers who do not wish to transact business with the CCRA directly may authorize an agent to transact business on their behalf. Although importers may use an agent to transact business with the CCRA, the importer is ultimately responsible for the accounting documentation, payment of duties and taxes, and subsequent corrections such as re-determination of classification, origin and valuation. The importer remains liable for all duties owing until either the importer or the agent pays them.

Agents are required to obtain written authorization from their clients in order to transact business on behalf of their clients. This business may include but is not limited to:

- Registering for a Business Number (BN), Importer/Exporter Account
- Providing assistance in cases involving the Special Import Measures Act (SIMA)
- Submitting refund requests (B2s)
- Preparing release (interim accounting) documentation
- Preparing final accounting documentation
- Remitting payment of duties and taxes to the Receiver General of Canada

For additional information, contact:

Canadian Society of Customs Brokers
111 York Street
Ottawa, Ontario
Canada K1N 5T4
Telephone: (613) 562-3543
Facsimile: (613) 562-3548
Webpage: <http://www.cscb.ca/>

After becoming familiar with the Canadian marketplace, some U.S. exporters take advantage of a special provision of Canada Customs rules which permits them to apply for Non-Resident Importer status. This enables them to control, sell, and distribute the product without intermediaries. One provision of the application for Non-Resident Importer is a requirement to make books and records available to Canadian Customs auditors and provide for their travel costs, if necessary, to their headquarters in the United States. Applications under this provision of Canadian Customs law should

be made through Revenue Canada's Customs Border Services offices. The website is:
<http://www.ccr-aadrc.gc.ca/E/pub/cm/d1-1-1/d1-1-1a-e.pdf>

Credit Checks

Besides the well-known private credit service checks that may be available, the U.S. Department of Commerce's International Trade Administration offers a World Trade Data Report (WTDR) service designed to verify the credit worthiness of companies in Canada. U.S. companies seeking more information on the WTDR service should contact the closest USFCS district office in the United States. The USFCS also offers additional services to help U.S. exporters.

The Commercial Import Process

In order to bring goods into Canada, importers must provide the proper documents to Canada Customs and Revenue Agency including:

- two copies of the cargo control document (CCD);
 - two copies of the invoice;
 - two copies of a completed Form B3, Canada Customs Coding Form;
 - one copy Form A - Certificate of Origin (when necessary);
 - any import permits, health certificates, or forms that other federal government departments require;
- calculate and declare the value for duty of the imported goods (where necessary) according to the valuation provisions of the Customs Act; make sure that the goods are properly marked with their country of origin; pay any duties that apply.

Import Service Centers

The Canadian Food Inspection Agency's Import Service Centres (ISC) process import request documentation/data sent electronically or by fax by the importing community across Canada. Staff review the information and return the decision either electronically to Canada Customs and Revenue Agency, which then relays it to the client, or by fax directly to the broker/importer, who then submits the release package to CCRA. In addition, ISC staff handle telephone inquiries regarding import requirements for all commodities regulated by the CFIA and, when necessary, coordinate inspections for import shipments.

CFIA Import Service Centres Across Canada

Eastern ISC

7:00 a.m. to 11:00 p.m.(local time)

Telephone: 1-877-493-0468 (Canada/U.S.)

1-514-493-0468 (all other countries)

Fax: 1-514-493-4103

Telephone: 1-800-835-4486 (inside Canada or U.S.)

1-905-612-6285 (all other countries)

Fax: 1-905-612-6280

Western ISC

7:00 a.m. to 12:00 a.m.(local time)

Telephone: 1-888-732-6222 (inside Canada or

Central ISC

7:00 a.m. to 12:00 a.m.(local time)

U.S.)

1-604-666-7042 (all other countries)

Fax: 1-604-270-9247

EDI: 1-604-666-7073

Non-Resident Importers

Non-Resident Importers are companies that import goods into Canada but which have addresses outside of Canada. These companies are required to have a Business Number (BN) and an import/export account registered with the Canada Customs and Revenue Agency. For information on registering as a non-resident importer, go to the following Canada Customs website:

<http://www.ccr-aadrc.gc.ca/customs/business/importing/menu-e.html>

Food Brokers

For U.S. companies entering the Canadian market, it is important to find a Canadian food broker to help with the logistics of entering the country in addition to marketing products. For additional information, contact the Association of Sales & Marketing Companies (formerly Canadian Food Brokers Association) for their 2002/2003 Canadian Members' Directory. The website is www.asmc.org

A sales and marketing agency is an independent contractor that derives its livelihood from providing a varied menu of services to manufacturers, with a focus on sales and marketing. Services provided vary; they include head office sales coverage, retail sales and merchandising, category management, consumer promotion, distribution assistance, invoicing, foodservice end user and distributor calls, order processing and more. For more information on Canadian Food Brokers, see CA2114. A full list of market sector reports is available in Section III.

C) Food Regulation

Labeling Requirements

i). General Labeling Requirements

The basic packaging and labeling requirements necessary for U.S. agricultural exports to Canada are:

- labels in English and French,
- net quantities in metric,
- list of ingredients,
- durable life date (if shelf life 90 days or less),
- common name of product,
- company name and address,
- minimum type size specifications,

- conformity to standardized package sizes stipulated in the regulations, and
- country of origin labeling.

Although the Universal Product Code (UPC) or bar code is not required or administered by government, virtually all retailers require products to be labelled with a UPC.

The Guide to Food Labeling and Advertising in Canada

The Canadian Food Inspection Agency has prepared a Guide to Food Labeling and Advertising which details the regulatory requirements for selling packaged foods in Canada. The CFIA Guide includes information on:

Basic Labeling Requirements

Advertising Requirements

Claims as to the Composition, Quality, Quantity and Origin of Foods

Nutrition Labeling

Nutrient Content Claims

Health-Related Claims

Other Product Specific Requirements

The full guide is available on the CFIA website at:

<http://www.inspection.gc.ca/english/bureau/labeti/guide/guidee.shtml>

Enforcement

The CFIA has the authority to refuse entry, detain, return, or remove from retail shelves any imported processed food product that does not meet the federal food labeling requirements.

ii). Label Review

The Canadian Food Inspection Agency consolidates federal food label review under its "Single Access Food Labeling Service". The labeling service, designed particularly for new entrants in the marketplace who are not familiar with the Canadian regulatory system, is provided at specified regional locations across Canada (see page 18). These offices coordinate the requirements of the aforementioned federal departments to simplify product approval and label compliance. It is recommended that U.S. exporters submit their labels to the regional office closest to the targeted marketing area. A complete list of the labeling service offices is found in Appendix E.

The CFIA will provide advice on the labeling requirements of all the acts that the agency administers. If U.S. exporters provide sufficient information with their submissions, a complete label assessment can be accomplished in about two weeks.

iii). Nutrition Labeling

Nutrition labeling on packaged foods sold in Canada is voluntary but regulations to make nutrition labeling mandatory are expected to be promulgated in late 2002 or early 2003. Currently, U.S. and Canadian nutrition recommendations differ, and the nutrition information and format approved for food packages in the U.S. market is not permitted on food labels in Canada. Canada's Department of Health and Welfare Canada has issued guidelines for manufacturers who choose to display nutrition information on their labeled food products marketed in Canada. The guidelines are available at the website listed below.

Nutrition Evaluation Division
Bureau of Nutritional Sciences, Food Directorate
Health Protection Branch, Health Canada
Banting Bldg., P.L. 2203A, Tunney's Pasture
Ottawa, Ontario, Canada K1A 0L2
Telephone: (613) 957-0352
Facsimile: (613) 952-7767
Web Site: <http://www.hc-sc.gc.ca/hppb/nutrition/labels/index.html>

Tariffs and Tariff Rate Quotas (TRQs)

Effective January 1, 1998 the tariff provisions of the U.S.- Canada Free Trade Agreement (FTA) removed all tariffs between the two countries with the exception of those products for which Canada implemented tariff rate quotas on January 1, 1995. The provisions of the FTA were incorporated into the NAFTA to which Mexico is also a signatory. The NAFTA came into effect on January 1, 1994.

In 1995, under the World Trade Organization (WTO) agreement, Canada replaced import quotas on certain agricultural products with Tariff Rate Quotas (TRQs). Under the TRQ system, imports which are within quotas are subject to low or free rates of duty, until the quota limit has been reached. Once quota limits have been reached, over-quota imports are subject to significantly higher Most-Favored-Nation (MFN) rates of duty. The Canadian importer must be in possession of an import permit to import TRQ commodities.

The Department of Foreign Affairs and International Trade (Export and Import Controls Bureau) is responsible for administering and allocating quotas for the non FCFS TRQ goods and for issuing import permits. Revenue Canada (Customs and Trade Administration) is responsible for the administration of FCFS TRQ goods, which includes monitoring the levels of their importation. For more information go to: <http://www.dfait-maeci.gc.ca/~eicb/agric/agric-e.htm>

Canada administers TRQs that affect exporters of the following U.S. agricultural commodities:

- Milk & Dairy Products
- Cheese
- Turkey
- Chicken
- Broiler Hatching Eggs & Chicks
- Eggs and Egg Products
- Margarine

In addition to the above, further TRQs affect the levels and tariff rates of imports from non-NAFTA suppliers of:

- Pork
- Beef
- Wheat, Barley and their Products

Packaging and Container Regulations

Canadian regulations governing package sizes for fruits and vegetables, processed horticultural products and processed meats stipulate standardized package sizes which can differ from U.S. sizes. The standards of identity and the container sizes are generally stipulated in the regulations encompassing agriculture and food products. Electronic access to all Canadian food-related regulations is available through: <http://www.inspection.gc.ca/english/reg/rege.shtml>

Food Additive Regulations

The use of food additives is strictly controlled by Canada's Food and Drugs Act and Regulations. Most foods approved for sale in the U.S. would comply with Canadian additive regulations, but differences can occur in the permissible levels and uses of food colorings and food preservatives. The food additive tables in Division 16 of the Regulations prescribe which additives may be used in foods sold in Canada, to which foods they may be added, for what purposes, and at what levels. Products containing non-permitted food additives may be refused entry into Canada. Canada's Food and Drugs Regulations are available on the Internet at:

www.hc-sc.gc.ca/food-aliment/friia-raaii/food_drugs-aliments_droques/act-loi/e_index.html

Canadian regulations on food flavoring are not comprehensive. Health Canada officials approve flavorings on a case by case basis only. Health Canada requires manufacturers to submit a formal request describing the intended use and levels of flavorings not specified in the regulations. This must be supplied together with information relating to the estimated intake of the flavoring by the consumer under normal consumption patterns. Specific questions relating to ingredients, food additives, and chemical residue limits may be directed to:

Bureau of Chemical Safety
Health Protection Branch
Health Canada
Frederick G. Banting Building
Tunney's Pasture
Ottawa, Ontario Canada K1A 0L2
Telephone: (613) 957-1700

Pesticide and other Contaminants

Some agricultural chemicals approved for use in the United States are not registered in Canada. As a result, these pesticides are deemed to have a zero tolerance in Canada and imported foods which contain unregistered pesticide residues above 0.1 parts per million are deemed to be adulterated under Section B.15.002(1) of Canada's Food and Drug Regulations. The goods are subject to detention, destruction, or return.

Health Canada's Health Protection Branch sets maximum residue limits (MRL) for pesticides. A full listing of Canadian MRLs is available on the Pest Management Regulatory Agency's (PMRA) website at: <http://www.hc-sc.gc.ca/pmra-arla/english/legis/maxres-e.html>

The PMRA is also responsible for pesticide registration. The address is:

Pest Management Regulatory Agency
Health Canada
2250 Riverside Drive
Ottawa, Ontario K1A 0K9
Telephone: (613) 736-3401

Other Regulations and Requirements

Inspection and Registration Fees

As part of a Canadian government initiative to partially recover costs associated with providing inspection services, most federal departments charge fees to industry for inspection and product registrations, where required. Canada claims its fee structure is consistent with WTO provisions for national treatment, in that the fees apply equally to Canadian and import sales.

Container Sizes: Processed Meats

Canada's Meat & Poultry Inspection Regulations stipulate the standard package size requirements for processed meat poultry products such as bacon, sausages, sliced meats and wieners. Common U.S. package sizes for these products are different from Canadian standardized sizes. For example, sliced bacon cannot be sold in a 1 lb. package in Canada. It is mostly sold in 500 g packages, one of the standardized sizes in the regulations. Schedule II of the Meat and Poultry Inspection Regulations lists all the acceptable package sizes for processed meats. It can be viewed on the Department of Justice website at:

<http://laws.justice.gc.ca/en/M-3.2/SOR-90-288/index.html>

Requirements for Fresh Fruits and Vegetables

All fruits and vegetables imported into Canada must meet specific standards and packaging regulations laid out in the Canada Agricultural Products Act's Fresh Fruit and Vegetable Regulations and Processed Product Regulations. The regulations are available on the Internet at:
<http://laws.justice.gc.ca/en/C-0.4/C.R.C.-c.285/index.html>

U.S. fresh fruits and vegetable exporters must:

- comply with Canadian grade standards and packaging regulations,
- obtain Canadian Confirmation of Sale form. Consignment selling is prohibited,
- obtain special waiver of standard container regulations for bulk products,
- file a Canada Customs invoice.

Beginning in 1995, Canada dropped the mandatory requirement (except for apples, onions, and potatoes) that U.S. exports of fresh produce be accompanied by USDA Agricultural Marketing Service (AMS) certification that the produce meets Canadian import requirements. Some U.S. exporters still choose to obtain AMS certification as evidence that the produce left the shipping point in grade and condition.

Canada requires all foreign shippers of fresh produce to place a grade on consumer size packages for which Canadian grades are established. The law also requires a country of origin declaration with the grade and weight (in metric) printed in a letter size directly proportional to the size of the package display surface.

Consignment selling of fruits and vegetables into Canada is prohibited by law and a confirmation of sale form is required for entry. Only produce that is pre-sold will be released at the border by Canada Customs.

Where grades and standard container sizes are established in Canadian regulation, bulk imports require a special exemption from the Canadian Food Inspection Agency. This exemption is not granted unless there is a shortage of domestic supply.

Further information on fruit and vegetable regulations is available from:

Dairy, Fruit, and Vegetable Division
Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario, Canada K1A 0Y9
Telephone: (613) 225-2342

Processed Horticultural Products

Imported processed horticultural products are subject to the requirements of Canada's Processed Products Regulations. These regulations stipulate the standards and grades for processed fruits and vegetables. The maximum container size permitted for importation is 20 kg or 20 liters. Beyond these sizes, Canadian rules require a ministerial exemption, or bulk waiver of standardized package. The Processed Product Regulations are available for viewing at the following Justice Department website:

<http://laws.justice.gc.ca/en/C-0.4/C.R.C.-c.291/index.html>

For the past two years, Canada has been considering changes to its Processed Products Regulations which if promulgated could change certain grade standards, deregulate or introduce certain package sizes, and stipulate certain special metric increment label declaration requirements on imports of processed fruits and vegetables for foodservice. For more information concerning the proposed changes go to:

http://www.inspection.gc.ca/english/reg/consultation/protra_pro/protra_pro_pie.shtml

Other Specific Standards

Fish and Seafood

Fish and fish products are subject to the Fish Inspection Act and Regulations, which contain requirements for wholesomeness, labeling, packaging, grading, and health and safety.

The Canadian importers of fish and fish products must have an Import Licence issued by the Canadian Food Inspection Agency and must notify the closest Canadian Food Inspection Agency fish inspection office in writing each time they import fish. Restrictions apply to the importation of live or raw bivalve molluscan shellfish such as mussels, clams and oysters. Import permits may be required for certain types of cultured fish. Certain provinces may have additional requirements for the importation of live fish.

Canadian regulatory requirements for imported fish and fish products are administered by the Canadian Food Inspection Agency's Fish Inspection Directorate (FID). Canadian importers are required to obtain an Import License issued by the FID prior to importing fish products. An import licence costs \$C500 per year and is valid for 12 months. Importers are required to notify the FID prior to importation of a product or within 48 hours following importation, stating the type and quantity, the name of the producer, the country of origin and the storage location for each product contained within a shipment. The following inspection service fees are charged for imported products: \$C50 per shipment of imported fresh fish; \$C30 per shipment for any fish imported for further processing; or \$C50 per lot for any other type of imported fish to a maximum of \$C250 per shipment.

The following information provides a guideline to some of the important Canadian packaging and labeling requirements for fish and seafood:

- Shipping containers for fresh or frozen fish must be stamped or stenciled on one end with all code markings that identify the packer, and day, month, and year of packing.
- For canned product, each can must be embossed, or otherwise permanently marked, in a code that identifies the name of the establishment, the day, month, and year of processing, and where required in the regulations, the species of fish. FID requires the Canadian importer to provide a list indicating the establishment and the number of containers for each production code.
- General labeling requirements for fish and fish products in consumer packages include, but are not limited to: English and French for mandatory information, list of ingredients, including additives, the name and address of the packer or distributor, the common name of the product, and the weight in metric units (imperial weight units may appear in addition). Technical questions on packaging and labeling should be directed to:

Fish Inspection Directorate
Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario K1A 0Y9
Telephone: (613) 225-2342

For detailed information concerning the CFIA's import inspection program go to:
<http://www.inspection.gc.ca/english/anim/fispoi/fispoie.shtml>

Novel Foods (Genetically Modified Foods)

Health Canada defines novel foods as: products that have never been used as a food; foods which result from a process that has not previously been used for food; or, foods that have been modified by genetic manipulation. This last category of foods have been described as genetically modified foods.

Health Canada is responsible for ensuring that all foods, including those derived from biotechnology, are safe prior to their entering into the Canadian food system. The Novel Foods Regulation (under the Food and Drugs Act) requires that notification be made to Health Products and Food Branch (HPFB) by the company who wants to sell the product prior to the marketing or advertising of a novel food. Pre-market notification is designed to allow Health Canada to conduct a safety assessment of the biotechnology-derived food prior to permitting its sale in the Canadian marketplace. The following are Health Canada's websites for information concerning the sale of novel foods (genetically modified foods) in Canada.

http://www.hc-sc.gc.ca/food-aliment/mh-dm/ofb-bba/nfi-ani/e_faq.html
http://www.hc-sc.gc.ca/english/protection/novel_foods.html

Contact for Novel Food Pre-Market Notification/Submission

Novel Food Notification
Food Program
Food Directorate
Health Canada
4th Floor West
Sir Frederick G. Banting Research Center
Tunney's Pasture, PL 2204A1
Ottawa, Ontario K1A 0L2

Wine, Beer and Other Alcoholic Beverages

The federal Importation of Intoxicating Liquors Act gives the provinces and territories full control over the importation of intoxicating liquor into their jurisdictions. Provincial liquor commissions control the sale of alcoholic beverages in Canada and the market structure can vary considerably from province to province. Alcoholic beverages can only be imported through the liquor commissions in the province where the product will be consumed. In general terms, U.S. exporters are required to have their products “listed” by the provincial liquor control agency. In many provinces, U.S. exporters must have a registered agent who provides the necessary marketing support within the province to obtain a provincial liquor board listing. As an initial step, U.S. exporters should contact the provincial liquor board in the target market for a listing of registered agents.

Canadian packaging and labeling requirements for wine and beer are administered under Canada’s Food and Drug Regulations and the Consumer Packaging and Labeling Regulations. In addition to the general packaging and labeling requirements for most foods, the regulations for alcoholic beverages cover common names and standardized container rules. For example, light beer in Canada is defined by regulation as beer with a percentage alcohol of 2.6 to 4.0, by volume. Container sizes for wine are standardized and metric. The most common containers for wine are 750 milliliters or 1, 1.5 and 2 liters. The province of Quebec has additional requirements to alcoholic beverage labeling.

U.S. exporters are advised to contact the Canadian Food Inspection Agency’s Single Access Food Labeling Service offices for full label reviews of alcoholic beverages (Appendix E).

Organic Foods

The import and sale of organic food products in Canada are governed by the same rules and regulations that apply to non-organic food products. No distinction is made between organic and non-organic foods with regard to import requirements. Currently, all Canadian packaging and labeling, grade, and inspection regulations apply equally to organic and non-organic foods.

The National Standard for Organic Agriculture was ratified by the Standards Council of Canada (SCC) April 19, 1999 and was published at the end of June 1999. Food products which are labeled or otherwise identified as “organic” are expected, as a minimum, to comply with the production, processing, packaging, labeling, storing and distribution requirements of the National Standard for Organic Agriculture.

Claims which include the word “organic (biologique)”, “organically grown”, “organically raised”, “organically produced”, “certified organic”, and “biodynamic”, or any other variations or uses of the word “organic”, are considered to be organic claims. Organic claims used in relation to foods which do not meet the requirements of the National Standard for Organic Agriculture are considered to be misleading and deceptive and are likely to be interpreted as a violation of section 5 (1) of the Food and Drugs Act and section 7 of the Consumer Packaging and Labeling Act.

For more information on Organic Foods see FAS Ottawa’s report CA2001 available from the FAS homepage at www.fas.usda.gov

Kosher Foods

In the labeling, packaging and advertising of a food, Canada’s Food and Drug Regulations prohibit the use of the word kosher, or any letter of the Hebrew alphabet, or any other word, expression, depiction, sign, symbol, mark, device or other representation that indicates or that is likely to create an impression that the food is kosher, if the food does not meet the requirements of the Kashruth applicable to it. Kosher style foods are defined in Canada’s Guide to Food Labeling and Advertising (mentioned above). For more information on Kosher Food Marketing in Canada, see FAS Ottawa’s report CA2048 available from the FAS homepage at: www.fas.usda.gov

Special Dietary Foods

The composition and labeling of foods for special dietary use are regulated under Division 24 of the Food and Drug Regulations and include: formulated liquid diets, meal replacements, carbohydrate-reduced foods, sodium reduced foods, low calorie foods, etc.

It is important to note that the only food products that may be promoted for use in a weight reduction diet are meal replacements, foods for very low calorie diets, prepackaged meals that meet the requirements of Division 24 of the Regulations and foods sold in weight loss clinics to clients for use in their programs. No other foods may be promoted for weight loss.

Sample Products

Food samples for research, evaluation, or display at trade shows and food exhibitions are permitted entry, but may not be offered for commercial sale. If the samples contain animal products such as meat or cheese, a declaration of importation must be provided at the port of entry. Entry at the border will be facilitated if U.S. exporters show proof of their food exhibition participation and that the products are of U.S. origin. Up to 10 samples are permitted entry, but the weight of each may not exceed 100 kilograms (about 220 pounds). Entries for personal consumption are generally restricted to 20 kg.

Test Marketing: Processed Food Products

Canada's Processed Product Regulations permit, in special instances only, the test marketing of domestically manufactured or imported processed food products which may not meet packaging, labeling, or compositional requirements of the regulations. However, the provision is designed to facilitate the marketing of new products of a type which are new, unique and unavailable in Canada. U.S. companies should note that it does not apply to U.S. brand introductions into Canada for processed foods of a type already available on retail shelves. In the case of imported foods, applications for test marketing must be submitted to the Canadian Food Inspection Agency by the Canadian importer who may be granted authorization to test market a food product for a period of up to 2 years. Further information on eligibility requirements is available from:

Director, Processed Products
Dairy, Fruit & Vegetable Division
Canadian Food Inspection Agency
59 Camelot Drive
Nepean, Ontario Canada K1A 0Y9
Telephone: (613) 225-2342
Facsimile: (613) 228-6632

Copyright and/or Trademark Laws

The federal agency responsible for registering trademarks in Canada is the Trademarks Office, part of a larger agency called the Intellectual Property Office, which is part of Industry Canada.

Registered trademarks are entered on the Trademark Register and can provide U.S. companies direct evidence of ownership. Trademark registrations are valid for 15 years in Canada.

To register a trademark, an application (with fee) must be sent to the Trademarks Office. In most instances, a trademark must be used in Canada before it can be registered. The Trademarks Office advises that companies hire a registered trade-mark agent to search existing trade names and trademarks. It will provide a list of registered agents upon request. For further information on making an application for a trademark in Canada, contact:

The Trade-Marks Branch
Canadian Intellectual Property Office
Industry Canada
50 Victoria Street
Place du Portage, Phase 1
Hull, Quebec K1A 0C9
Telephone: (613) 997-1936

For more information about trademarks see Industry Canada's trade mark home page at:
http://strategis.ic.gc.ca/sc_mrksv/cipo/tm/tm_main-e.html?icservices=e_tra

SECTION III. MARKET SECTOR STRUCTURE AND TRENDS

Besides the market opportunities created by reduced tariffs, changing lifestyles in Canada are helping increase the demand for U.S. agricultural products. A decline in real disposable incomes for Canadians throughout the 1990s has led to an increase in dual-income families which, in turn, has contributed to a reduction in the number of meals consumed at home. The result has been an increase in imports of U.S. products to meet the demand for high quality, fresh and packaged foods that are ready-to-eat or can be conveniently prepared. In addition, an increasing number of American fast food franchisers operating retail outlets in Canada choose to partially supply them through proven U.S. supply channels.

Immigration patterns have changed the face of Canadian cities, where 75 percent of Canada's population resides. Immigration in the 1990s was dominated by newcomers of Asian origin, who now account for about 10 percent of the population of Canada's two largest cities, Toronto and Vancouver. The combination of the influx of Asian, as well as other ethnic origin immigrants with contrasting dietary traditions, and the trend among consumers for a healthier diet has transformed the Canadian food supply. Compared to twenty years ago, Canadians are consuming less sugar, animal fats (including butter and lard), red meat, eggs, canned vegetables, skim milk powder, and alcoholic beverages and more rice, breakfast cereals, nuts, vegetable-based fats, chicken, fish, fresh vegetables, cheese, yogurt, coffee, and soft drinks.

The following is a listing of the Market Sector Structure and Trend Reports prepared recently by, or for the Office of Agricultural Affairs., Ottawa. The reports offer profiles of each sector and summarize the key developments and market opportunities for new U.S. sales.

Market Sector Reports

AGR#	Title of Report	Date
CA9142	Western Canada Retail Study	12/23/1999
CA0001	Eastern Canada Retail Study	1/5/2000
CA0047	HRI Foodservice Sector - Eastern Canada	4/19/2000
CA0127	HRI Foodservice Sector - Western CA	8/25/2000
CA0135	Private Label Grocery Opportunities	9/11/2000
CA0174	Pet Food Industry Product Brief	11/6/2000
CA1054	SIAL Montreal 2001 Evaluation	04/02/2001

CA1093	Canadian Taste for Imported Beer, Wine and Spirits	07/05/2001
CA1126	Exploring Canada's Food Manufacturing Industry	09/18/2001
CA1161	Canadian 2002 Foodservice Sales Forecast	11/16/2001
CA2001	Organic Food Industry Report	01/04/2002
CA2002	Convenience & Non-Traditional Grocery Outlets Report	01/04/2002
CA2005	Pet Health & Nutrition	01/11/2002
CA2021	Quebec as a Market for U.S. Wine	03/05/2002
CA2026	Controversial Quebec Plan for Wine Marketing	03/15/2002
CA2037	Quebec Beer Industry Overview	04/15/2002
CA2048	Kosher Foods Market	
CA2075	An Overview of the Institutional Foodservice Market in Canada	07/10/2002
CA2078	Canadian Seafood Industry	07/10/2002
CA2094	Wood Product Shows	8/19/2002
CA2095	Nursery Product Shows	8/19/2002
CA2096	Pet Shows	8/19/2002
CA2097	Livestock Shows	8/19/2002
CA2098	Wine and Spirits Shows	8/19/2002
CA2099	Food and Beverage Shows	8/19/2002
CA2100	Exporting U.S. Wine to Ontario	8/20/2002
CA2101	Poultry Shows	8/21/2002
CA2114	Canadian Food Brokers	09/30/2002

CA2115	Vending Machine Food Distribution in Canada	10/24/2002
CA2124	Asian-Style Foods in the Canadian Market	10/23/2002
CA2125	An Overview of Selected Segments of the Canadian Frozen Food Industry	10/24/2002
CA2129	Canada Connect Matchmaker Program	11/07/2002

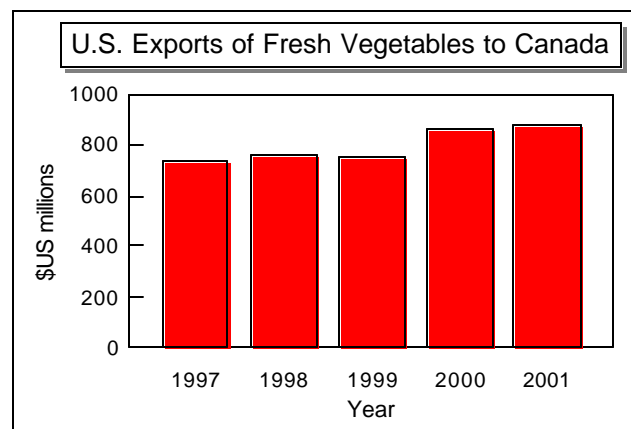
Visit FAS home page at <http://www.fas.usda.gov> for a complete listing of FAS' worldwide agricultural reporting. To access these reports, or the food industry reports listed below, click on "Commodities", then "Market Reports" and then "Attache Reports". If you have the report number search Option 3, by inserting the AGR # in the appropriate field.

SECTION IV. BEST HIGH-VALUE PRODUCT PROSPECTS

Canada's wholesale, retail, and food service industries watch with acute interest developments in packaged and processed foods and food service trends in the United States. While there are differences in the consumption patterns of selected food items in the two countries, there is a growing demand in Canada for new value-added foods that are market-proven in the United States. Combined with the growing demand for fresh produce related to Canada's short growing season, the following are some of the best prospects for U.S. export opportunities in Canada's food and agricultural product market. It is generally accepted that the rates of increase for these export categories were reduced following the general economic downturn as a result of the events of September 11, 2001.

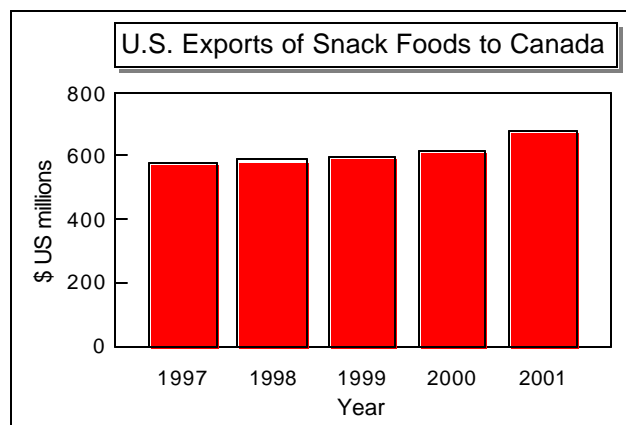
Fresh Vegetables

U.S. exports of fresh vegetables to Canada reached \$874 million in 2001, making Canada the number one market for American exports in this product category. On a per capita basis, Canada has one of the highest consumption rates of fresh vegetables in the world. In Canadian retail grocery stores, more space is devoted to fresh produce than any other food sector. Increased meals away from home and greater awareness of healthy eating habits have resulted in increased year-round demand in the food service sector for U.S. fresh vegetables. In addition, increasing numbers of immigrants to Canada have come from Asia, where traditional dietary habits include large amounts of fresh vegetables. Under the tariff phase-out provisions of NAFTA, American fresh vegetable exports to Canada enter duty free. Due to climatic factors, the domestic growing season for fresh vegetables is short, enhancing Canadian year-round demand for imported fresh vegetables from the United States. The modern transportation and wholesale dealer network provides Canadian buyers with prompt delivery.



Snack Foods

The snack food industry in Canada is highly concentrated and includes both Canadian national and regional companies as well as multinational firms. It is estimated that the leading four enterprises supply over 80 percent of total Canadian snack food production. Canada imports bakery snack foods (crispbreads, cookies, waffles, and



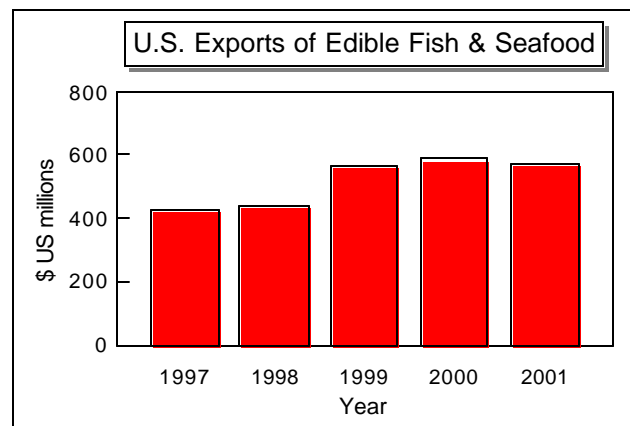
communion wafers) from the United States and salty snack foods, category dominated by imports of popcorn, corn chips, potato chips, and pretzels. According to a major industry survey, the sales leader among salted snack foods in Canada is the potato chip, accounting for nearly 60 percent of total salted snack food sales. Imports of snack foods (excluding nuts) from the United States in 2001 reached a record \$682 million.

Organic Foods

According to Agriculture and Agrifood Canada, the country's booming organic sector is enjoying US\$660 million annual retail sales and a 20 per cent annual growth rate. The industry is predicting that the market share of organic food will increase between 5 and 10 per cent by 2010. Canada adopted a national organic standard in 1999 and there are now about 1,500 registered organic producers in Canada, as well as hundreds more that are not registered. The majority of organic food production in Canada is grains, concentrated in western Canada. Oilseeds account for only about 10-20 percent of total organic production due to weed and disease problems and a shortage of organic crushing facilities. As a result, Canada relies heavily on U.S. suppliers for imports of organic fresh produce and packaged organic foods. Once found only in health and specialty food stores, organic products are increasingly available in mainstream supermarkets in Canada.

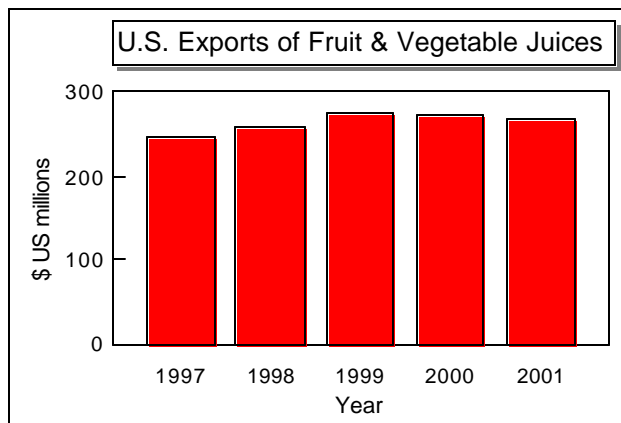
Fish and Seafood

U.S. exports of fish and seafood to Canada during 2000 reached a record US\$576 million and accounted for twenty percent of total American fish and seafood exports. Per capita fish consumption in Canada is higher than that in the United States. Combined with growing demand for seafood in the retail and food service sectors, prospects for increased U.S. seafood sales to Canada are promising in the coming years.



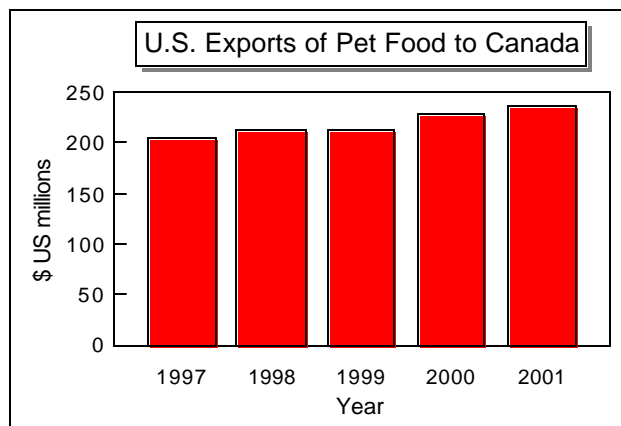
Fruit and Vegetable Juices

Imports from the United States in 2000 reached US\$245 million, capturing almost two-thirds of the import market for fruit and vegetable juices. Canada is heavily dependent on imports of fruit and vegetable juices (fresh and frozen) to meet total market demand. Strong U.S. sales gains have been made in the mixed juice categories. Overall, orange juice is the market leader, with apple and grape sharing about 25 percent of total juice sales. Best prospects include the retail market segment, custom retail packaging for Canadian distributors, and new products and blends in new packaging.



Pet Foods

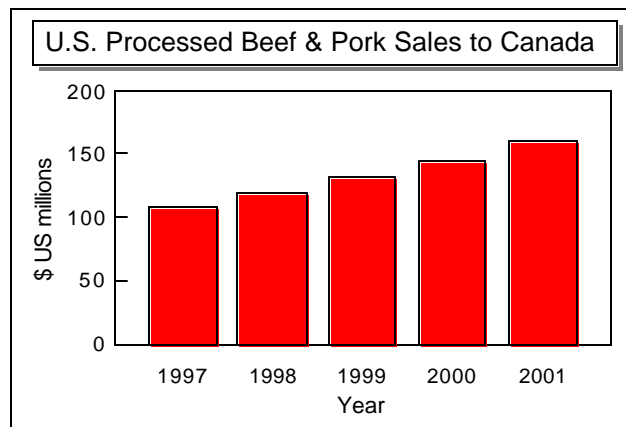
The pet industry is booming in Canada, with total sales estimated above \$1.3 billion in 2000 including food, accessories and veterinary costs. Canadian imports of pet food from the United States reached \$237 million in 2001. The Canadian pet food sector has consolidated and is largely controlled by U.S. based multinationals. Almost 90 percent of the pet food sold in Canada is manufactured by large U.S.-owned multinationals, often in the U.S. The multinational producers have strong brands,



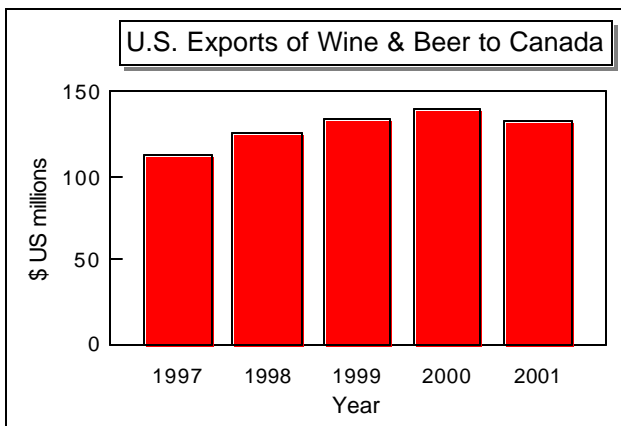
while the Canadian owned companies combine brand and private label production. Nationally Canada has approximately 17 pet food manufacturers, of which only four are canning operations. Pet food production capacity is concentrated in Ontario; however, there are a number of small to medium sized firms spread across the country. Canadians currently own about eight million dogs and cats. According to Statistics Canada, there are approximately 3.5 million dogs and 4.5 million cats in the country.

Processed Meats

U.S. exports of processed beef and pork showed an annual average growth rate of more than 8% between 1997 and 2001 and reached a record \$160 million during 2001. The category includes prepared dinners, canned meats, luncheon meats, sausages, weiner, and dried meats and jerky.



Wine and Beer

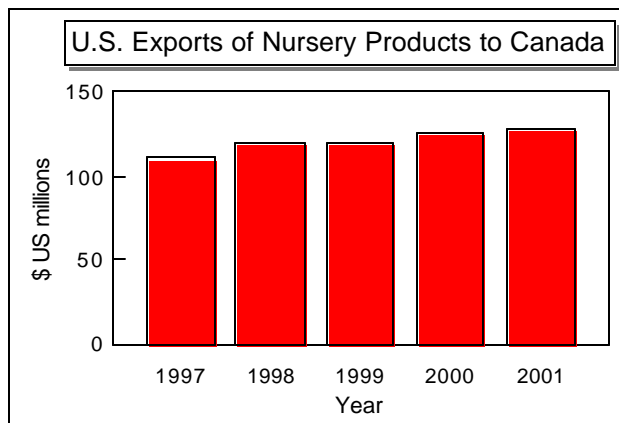


Canadian imports of U.S. wine and beer reached the \$132 million mark during 2001, accounting for an import market share of nearly 20 percent. The level was down slightly from a year earlier due to the general economic downturn following the events of September 11, 2001. Among wine producing countries, Canada has one of the lowest domestic market shares at just over 40 percent, reflecting the constraints of a cool climate on grape production and variety selection. In recent years, Canadian

consumers have demonstrated a greater willingness to try wines from other countries. Although U.S. exports of wine face stiff competition from traditional European wine exporting countries and from southern hemisphere wine producers, the outlook for growth in U.S. sales of wine is bright.

Nursery Products and Cut Flowers

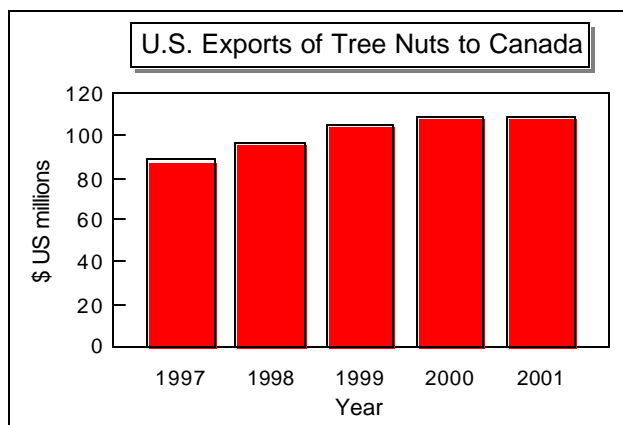
U.S. exports of live plants, cuttings, foliage, and cut flowers to Canada rose sharply in the five years ending 2001 when they reached \$128 million. Both residential and commercial demand for live plants is increasing in Canada as consumers and commercial landscapers fuel a trend to the rising popularity of indoor and outdoor gardening and landscaping evidenced in a multitude of television and radio media shows and print features and an increase in live plant retailing. Already cornering over half of an



upbeat market, U.S. floricultural and nursery product exporters have extra market incentives for gaining market share. Zero duties under FTA/NAFTA provisions make U.S. exports very competitive in Canada; modern transportation methods ensure fresh deliveries; and a trend toward harmonizing plant health regulations helps the export process. U.S. and Canadian plant health officials recently introduced the Greenhouse Certification Program which greatly facilitates entry requirements for U.S. greenhouse-grown products into Canada. Prospects for future U.S. sales increases appear bright given the outlook for increasing demand and a goal by plant health officials to introduce a Nursery Certification Program.

Tree Nuts

The commercial production of tree nuts in Canada is limited to the relatively small output of filberts in British Columbia. As a result, Canada relies heavily on the United States for supplies of snack type nuts and nuts for food manufacture. In 2001, Canadian tree nut imports from the United States reached nearly \$110 million.



SECTION V. CONTACTS

Office of Agricultural Affairs
 U.S. Embassy, Canada
 P.O. Box 5000
 Ogdensburg, NY 13669-0430
 Telephone: (613) 688-5267
 Fax: (613) 688-3124
 Email: info@usda-canada.com

Gary C. Groves, Agricultural Minister-Counselor
 Hugh J. Maginnis, Senior Agricultural Attaché
 Darlene Maginnis, Marketing Specialist
 Marilyn Bailey, Marketing Specialist
 George C. Myles, Senior Agricultural Specialist
 Matthew Cahoon, Agricultural Specialist
 Joyce Gagnon, Administrative Assistant

Useful Websites

The following is a listing of the major Canadian websites mentioned in the body of this report:

Canada Customs	http://www.ccra-adrc.gc.ca/customs/business/menu-e.html
Canadian Food Inspection Agency	
Home Page	http://www.inspection.gc.ca/
Acts and Regulations	http://www.cfia-acia.agr.ca/english/reg/rege.shtml
Guide to Food Labeling	http://www.inspection.gc.ca/english/bureau/labeti/guide/guidee.shtml
Packaging and Labeling	http://www.cfia-acia.agr.ca/english/ppc/label/home.html
Meat & Poultry Inspection Regulations	http://www.inspection.gc.ca/english/anima/meavia/meaviae.shtml
Fish Inspection Directorate	http://www.cfia-acia.agr.ca/english/anima/fispoi/fispoie.shtml
Novel Foods	http://www.cfia-acia.agr.ca/english/ppc/biotech/conse.shtml
Department of Foreign Affairs and International Trade	http://www.dfait-maeci.gc.ca/~eicb/agric/agric-e.htm

Health Canada	
Home Page	http://www.hc-sc.gc.ca
Food and Drugs Act	http://www.hc-sc.gc.ca/food-aliment/english/publications/acts_and_regulations/food_and_drugs_acts/index.html
Nutrition Labeling	http://www.hc-sc.gc.ca/hppb/nutrition/labels/index.html
Food Additive Regulations	www.hc-sc.gc.ca/food-aliment/friia-raaii/food_drugs-aliments_droguess/act-loi/e_index.html

Justice Department	http://www.justice.gc.ca
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Pest Management Regulatory Agency	
Maximum Residue Levels	http://www.hc-sc.gc.ca/pmra-arla/english/legis/maxres-e.html

APPENDIX I. Statistics

Table A. Key Trade and Demographic Information

Agricultural Imports From All Countries/ U.S. Market Share 1/	\$12.1 billion / 65%
Consumer Food Imports From All Countries/ U.S. Market Share 1/	\$8.8 billion / 62%
Edible Fishery Imports From All Countries/ U.S. Market Share 1/	\$1.3 billion / 44%
Total Population, July 1, 2002	31.4 million
Urban Population / Rural Population / Percent Rural/2001	23.9 mil./ 6.1 mil/ 20%
Number of Metropolitan Areas Over 100,000	33
Per Capita Gross Domestic Product (U.S. dollars); 1999	\$26,251
Unemployment Rate (late 2002)	7.6 %
Per Capita Food Expenditures (U.S. dollars)	
Total Employment / Women / Men	15.5 mil / 7.2 / 8.3
Exchange Rate, average annual 2001	C\$=US\$.6458

Footnotes: 1/ UN Trade Database, 2001

Table B. Consumer Food & Edible Fishery Product Imports

Canada Imports (In Millions of Dollars)	Imports from the World			Imports from the U.S.			U.S Market Share		
	1999	2000	2001	1999	2000	2001	1999	2000	2001
CONSUMER-ORIENTED AGRICULTURAL TOTAL	7,986	8,374	8,756	5,063	5,386	5,603	63	64	64
Snack Foods (Excl. Nuts)	588	615	656	351	374	408	60	61	62
Snack Foods (Excl. Nuts)	123	133	150	120	125	142	98	94	95
Red Meats, Fresh/Chilled/Frozen	561	611	688	294	328	334	52	54	49
Red Meats, Prepared/Preserved	226	260	285	211	246	272	93	95	96
Poultry Meat	130	129	147	130	129	147	100	100	100
Dairy Products (Excl. Cheese)	115	172	214	49	56	50	43	33	24
Cheese	124	132	128	21	30	23	17	23	18
Eggs & Products	53	49	64	49	44	58	91	91	90
Fresh Fruit	1,119	1,143	1,183	554	595	619	49	52	52
Fresh Vegetables	804	918	955	682	780	798	85	85	84
Processed Fruit & Vegetables	692	695	711	432	440	462	62	63	65
Fruit & Vegetable Juices	396	383	364	255	246	241	64	64	66
Tree Nuts	151	155	155	82	86	84	55	56	54
Wine & Beer	689	731	757	120	123	117	17	17	15
Nursery Products & Cut Flowers	204	215	225	109	113	114	53	52	51
Pet Foods (Dog & Cat Food)	206	220	229	199	214	221	96	97	97
Other Consumer-Oriented Products	1,805	1,814	1,844	1,406	1,456	1,512	78	80	82
FISH & SEAFOOD PRODUCTS	1,291	1,333	1,305	573	594	579	44	45	44
Salmon	145	148	123	128	132	109	88	89	89
Surimi	43	31	36	14	15	22	33	47	60
Crustaceans	539	590	572	200	210	194	37	36	34
Groundfish & Flatfish	237	235	233	103	105	111	43	45	48
Molluscs	89	89	86	46	40	40	51	44	47
Other Fishery Products	238	240	256	82	93	103	34	39	40
AGRICULTURAL PRODUCTS TOTAL	10,919	11,536	12,144	6,822	7,376	7,871	62	64	65
AGRICULTURAL, FISH & FORESTRY TOTAL	14,106	14,981	15,394	9,009	9,723	10,016	64	65	65

Source: FAS' Global Agricultural Trade System using data from the United Nations Statistical Office

Table C. Top 15 Suppliers of Consumer Foods & Edible Fishery Products**Canada Imports****CONSUMER-ORIENTED AGRICULTURAL TOTAL**
(\$'000)

	1999	2000	2001
United States	5,063,141	5,386,405	5,603,432
France	318,501	308,086	308,784
New Zealand	166,338	173,361	260,254
Mexico	211,973	221,448	244,758
Australia	170,651	190,102	236,474
Italy	209,000	210,215	225,126
Chile	139,748	151,263	149,553
Netherlands	107,001	119,508	132,605
China (Peoples	91,179	114,497	112,085
Brazil	174,546	127,685	104,342
United Kingdom	97,795	99,595	103,933
Germany	82,892	90,296	97,768
Spain	93,859	94,242	84,074
Colombia	80,128	72,840	77,811
Costa Rica	60,277	71,712	76,152
Other	919,002	943,076	938,773
World	7,986,162	8,374,490	8,756,092

FISH & SEAFOOD PRODUCTS
(\$'000)

	1999	2000	2001
United States	572,703	593,886	579,322
Thailand	187,608	189,661	202,582
China (Peoples	52,371	65,172	71,157
Norway	43,189	39,464	51,885
Russian Federa	61,442	43,613	37,821
Faroe Islands	0	0	33,976
Estonia	31,941	41,362	28,794
Iceland	40,032	39,335	23,869
Vietnam	10,144	23,259	22,020
India	16,436	24,549	19,189
Chile	12,499	19,589	19,007
Indonesia	11,677	13,483	15,141
Taiwan (Estimat	13,395	15,316	14,517
Philippines	17,591	13,530	11,978
Hong Kong	8,356	11,330	11,494
Other	212,025	199,535	162,401
World	1,291,418	1,333,105	1,305,176

Source: United Nations Statistics Division

FAS/Ottawa: info@usda-canada.com.